

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR
SYSTEMS PRODUCTS LIABILITY
LITIGATION

Master File No. 2:12-MD-02327
MDL 2327

ETHICON WAVE 3 CASES LISTED IN
EXHIBIT A

JOSEPH R. GOODWIN U.S. DISTRICT
JUDGE

**DEFENDANTS' SUPPLEMENTAL MOTION TO EXCLUDE AND NOTICE OF
ADOPTION OF PRIOR DAUBERT MOTION AND REPLY BRIEF OF ABBAS
SHOBEIRI, M.D. FOR WAVE 3**

Defendants Ethicon, Inc., Ethicon, LLC, and Johnson & Johnson (collectively, "Ethicon"), hereby adopt and incorporate by reference the *Daubert* motion filed against Dr. Abbas Shobeiri for Ethicon Wave 1 cases, Ethicon Wave 1, Dkt. Nos. 2073 (motion), 2077 (memorandum in support), and supporting Reply brief, Dkt. 2219. Ethicon further incorporates by reference its supplemental memorandum of law filed contemporaneously herewith, and relies on the additional exhibits listed below.

Ethicon acknowledges the Court's Order (Dkt. 2685) related to Ethicon's *Daubert* motion filed against Dr. Abbas Shobeiri for Ethicon Wave 1 cases. Ethicon respectfully requests that the Court exclude Dr. Abbas Shobeiri's testimony, for the reasons expressed in the Wave 1 briefings and Ethicon's supplemental memorandum of law. This notice applies to the Wave 3 cases identified in Exhibit A attached hereto. Ethicon also incorporates and relies on the following exhibits:

- B. Rule 26 Expert Report of Dr. Abbas Shobeiri on TVT-O;
- C. Rule 26 Expert Report of Dr. Abbas Shobeiri on Prolift; and

D. Excerpts of February 27, 2016 Deposition of Abbas Shobeiri, M.D.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

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